

REMARKS

Applicants gratefully acknowledge the helpful assistance that the Examiner provided during the November 18, 2004 telephonic interview with the applicants' representative, Margaret A. Pierri. Applicants make that interview of record herein.

Claims 1-78 of this application stand subject to restriction under 35 U.S.C. §121.

In the June 24, 2004 Restriction Requirement, the Examiner divided the claims of the application into the following Embodiments:

I: Claims 4-11, 13, 15-39, 43-68, 70-71, and 74-76, as specifically drawn to a crystal of an antibody, a composition or formulation containing a crystal of the antibody, a large batch crystallization method and a diagnostic kit, classified in class 530, subclass 387.3; class 424, subclass 178.1.

II: Claims 12, 16-18, 24-30, 43-68, 70-71, and 74-75, as specifically drawn to a crystal of an anti-idiotypic antibody, classified in class 530, subclass 387.2.

III: Claims 4-11, 14-39, 43-68, 70-71, and 74-76, as specifically drawn to a crystal of an antibody, a composition or formulation containing a crystal of the antibody, a large batch crystallization method and a diagnostic kit, classified in class 530, subclass 387.3; class 424, subclass 178.1.

IV: Claims 40-42, 77-78, as specifically drawn to a method of treating a mammal by administering a crystal of an antibody or a formulation or a composition, classified in class 424, subclass 130.1.

V: Claim 69, as specifically drawn to a method of purifying a protein by affinity matrix purification, classified in class 424, subclass 130.1; class 530, subclass 413.

VI: Claims 72-73, as specifically drawn to an in vitro diagnostic method for detecting the presence of an antigen in a sample, classified in class 530, subclass 388.1, 389.1.

The Examiner previously determined that Claims 1-3 are linking claims and would be joined with the embodiment and

group elected. Further, the Examiner previously indicated that applicants must choose one specific crystal of an antibody as a group within the invention. Finally, the Examiner previously stated that claims 34-37 and claim 39 of Embodiments I-III are generic to a plurality of disclosed patentably distinct species comprising distinct polymeric carriers (claims 34-37) or stabilizers (claim 39) and that applicants are required to elect a single species of polymeric carrier from claims 34-37, and a single species of stabilizer from claim 39, for prosecution on the merits.

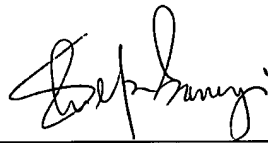
In an August 24, 2004 response to that Restriction Requirement, applicants elected, with traverse, Embodiment I, i.e., claims 4-11, 13, 15-39, 43-68, 70-71 and 74-76, for initial substantive examination. Applicants also elected, with traverse, Infliximab crystals. Also, applicants elected, with traverse, the species poly (amino acids) from claims 34-37 and the species sucrose from claim 39, for further prosecution on the merits. Applicants also identified claims 1-11, 13, 15-39, 43-68, 70-71 and 74-76 as reading on their elections.

Applicants reiterate those elections herein. As discussed with the Examiner, applicants believe the above

elections and, in particular, identification of claims reading on those elections, to be sufficient to allow the Examiner's search and continued substantive examination of this application.

Applicants request favorable consideration and early allowance of claims in this application.

Respectfully submitted,



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